

HOUSE No. 4699**The Commonwealth of Massachusetts**

PRESENTED BY:

Lori Ehrlich*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Natural Gas Leaks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Lori Ehrlich	8th Essex
Steven J. D'Amico	4th Bristol
William N. Brownsberger	24th Middlesex
Stephen L. DiNatale	3rd Worcester
Jennifer Benson	37th Middlesex
Patricia A. Haddad	5th Bristol
Brian M. Ashe	2nd Hampden
Cory Atkins	14th Middlesex
Matthew C. Patrick	3rd Barnstable
Frank I. Smizik	15th Norfolk
Barbara A. L'Italien	18th Essex
Marc R. Pacheco	First Plymouth and Bristol
John W. Scibak	2nd Hampshire
David P. Linsky	5th Middlesex
Cleon H. Turner	1st Barnstable
Daniel E. Bosley	1st Berkshire
Kay Khan	11th Middlesex
Bradley H. Jones, Jr.	20th Middlesex
Katherine Clark	32nd Middlesex

Bruce E. Tarr	First Essex and Middlesex
Carolyn Dykema	8th Middlesex
Cheryl A. Coakley-Rivera	10th Hampden
Stephen R. Canessa	12th Bristol
Sarah K. Peake	4th Barnstable
Michael Brady	9th Plymouth
Brian P. Wallace	4th Suffolk
Bill Bowles	2nd Bristol
William Smitty Pignatelli	4th Berkshire
Theodore C. Spiliotis	13th Essex
Joyce A. Spiliotis	12th Essex
Mary E. Grant	6th Essex
John V. Fernandes	10th Worcester

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act Relative to Natural Gas Leaks.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 164 of the General Laws is hereby amended by adding the following section:-
- 2 Section 144. The following shall constitute the Natural Gas Leak Classification Standard for the
- 3 Commonwealth.
- 4 Grade 1.A leak that represents an existing or probable hazard to persons or structures. Such leak requires
- 5 immediate repair until the conditions are no longer hazardous.
- 6 Grade 2A. A leak that is recognized as being non-hazardous to persons or structures but justifies
- 7 scheduled repair based on probable future hazard to persons or structures or any leak that is within the
- 8 drip line or root zone of any tree. Repair is required within 6 months with monthly monitoring.
- 9 Grade 2. Any leak that is recognized as being non-hazardous to persons or structures but damages public
- 10 or private vegetation. Repair is required within 15 months with monitoring every six months.

Grade 3. Any leak that is non-hazardous to persons, structures or vegetation and is expected to remain non-hazardous to persons, structures or vegetation. Repair is required within 36 months. Monitoring is required annually not to exceed 15 months.

The Chairman of the Department of Public Utilities shall promulgate such rules and regulations as are necessary to effectuate the purposes of the Natural Gas Leak Classification Standard. Such rules and regulations shall require that companies subject to the Chairman's supervision that are responsible for the maintenance and repair of natural gas lines report to the Chairman on an annual basis the grades of any leaks detected as part of any mandated compliance surveys. The rules and regulations shall require the repair of any Grade 1, 2A, 2 and 3 leaks where excavation of a public way in the ordinary course makes such repair technically feasible.

SECTION 2. Chapter 242 of the General Laws is hereby amended by inserting after section 7A the following section:-

Section 7B. Any person responsible for the maintenance and repair of any natural gas pipeline shall be liable for any damage to trees on public or private property caused by the leaking of natural gas. Such person shall be liable for single damages only if the leak is repaired in accordance with the Natural Gas Leak Classification Standard established by section 144 of chapter 164, otherwise double or triple damages shall be allowed depending on whether the acts were knowing or willful.